

United States District Court  
For the Northern District of California

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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION

10 KAMINI HAWN, CASE NO. 5:12-cv-05014 EJD

11 v. Plaintiff(s),  
12

13 JOHN MCHUGH, Secretary of the Army,

[Docket Item No(s). 43]

14 Defendant(s).  
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16 Plaintiff's request for leave to file a sur-reply (Docket Item No. 43) is GRANTED. The sur-  
17 reply filed by Plaintiff on October 3, 2013 (Docket Item No. 41) will be considered in connection  
18 with Defendant's pending Motion to Dismiss. Defendant's objection to the sur-reply (Docket Item  
19 No. 42), although well-taken, is OVERRULED.

20 Pursuant to his request, Defendant may file a response to Plaintiff's sur-reply on or before  
21 **January 15, 2014.** Once this response is filed, no further briefing will be considered for the Motion  
22 to Dismiss and no such briefing should be filed by either party.

23 **IT IS SO ORDERED.**

24  
25 Dated: January 6, 2014

  
26 EDWARD J. DAVILA  
27 United States District Judge  
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